

# **EXHIBIT B**

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF DELAWARE

IN RE	.	Case No. 10-11780 (JKF)
	.	Adv. No. 10-53702
SPECIALTY PRODUCTS HOLDINGS	.	
CORPORATION,	.	
Debtor,	.	
.....	.	
IN RE:	.	Case No. 02-12687 (JKF)
	.	Adv. No. 10-53721
ACandS, Inc.,	.	
Debtor,	.	
.....	.	
IN RE:	.	Case No. 02-10429 (JKF)
	.	Adv. No. 10-53719
KAISER ALUMINUM CORPORATION,	.	
Debtor,	.	
.....	.	
IN RE:	.	Case No. 00-03837 (JKF)
	.	Adv. No. 10-53720
OWENS CORNING,	.	
Debtor,	.	
.....	.	
IN RE:	.	Case No. 01-02094 (JKF)
	.	Adv. No. 10-53712
USG CORPORATION,	.	
Debtor,	.	U.S. Steel Tower - 54th Floor
.....	.	600 Grant Street
ACandS ASBESTOS SETTLEMENT	.	Pittsburgh, PA 15219
TRUST; KAISER ALUMINUM &	.	
CHEMICAL CORPORATION ASBESTOS	.	December 2, 2010
PERSONAL INJURY TRUST; OWENS	.	10:06 a.m.
CORNING/FIBREBOARD ASBESTOS	.	
PERSONAL INJURY TRUST; and	.	
UNITED STATES GYPSUM ASBESTOS	.	
PERSONAL INJURY SETTLEMENT	.	
TRUST,	.	
and	.	
TRUST ADVISORY COMMITTEES FOR	.	
ACandS ASBESTOS SETTLEMENT	.	
TRUST, KAISER ALUMINUM &	.	
CHEMICAL CORPORATION ASBESTOS	.	
PERSONAL INJURY TRUST, OWENS	.	
CORNING/FIBREBOARD ASBESTOS	.	
PERSONAL INJURY TRUST and	.	
UNITED STATES GYPSUM ASBESTOS	.	
PERSONAL INJURY SETTLEMENT	.	
TRUST,	.	
and	.	

HON. DEAN M. TRAFELET (Ret), .  
LEGAL REPRESENTATIVE FOR .  
FUTURE CLAIMANTS AGAINST THE .  
UNITED STATES GYPSUM ASBESTOS .  
PERSONAL INJURY SETTLEMENT .  
TRUST, .

Plaintiffs, .

-v- .

HARTFORD ACCIDENT & INDEMNITY .  
CO., FIRST STATE INSURANCE .  
CO., NEW ENGLAND INSURANCE .  
COMPANY, NATIONAL UNION FIRE .  
COMPANY OF PITTSBURGH, P.A., .  
AMERICAN HOME ASSURANCE CO., .  
GARLOCK SEALING TECHNOLOGIES, .  
LLC, SPECIALTY PRODUCTS .  
HOLDING CORP., 'DELAWARE .  
CLAIMS PROCESSING FACILITY, .  
LLC, and VERUS CLAIMS .  
SERVICES, LLC, .

Defendants. .

TRANSCRIPT OF PRELIMINARY INJUNCTION HEARING  
BEFORE HONORABLE JUDITH K. FITZGERALD  
UNITED STATES BANKRUPTCY COURT JUDGE

APPEARANCES:

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- - -

1 affidavit of Paul Grant, which is also before our bankruptcy  
2 court judge, that Owens Corning and these other defendants who  
3 are represented by these trusts that evidence of exposure to  
4 their products has disappeared in the tort system. Claimants  
5 stopped identifying them. And that's what these  
6 confidentiality provisions are designed to do. They're  
7 designed to permit claimants to file their claims against the  
8 trusts in a way that they don't get -- have to give any credit  
9 at all for the payments or have any allowance for the evidence  
10 of their exposure to the trust in the tort system. That's what  
11 these confidentiality provisions do and that's what they've  
12 done.

13 THE COURT: The confidentiality provision doesn't  
14 have anything to do with whether a plaintiff is lying to  
15 somebody in the state court system. It simply is there to  
16 protect information for different purposes on the trust. If a  
17 plaintiff lies, a plaintiff lies. They're going to lie whether  
18 there's a confidentiality provision in place or not. And many  
19 of the state courts these days have standard orders that  
20 require the plaintiffs to produce information as to who they've  
21 also sued as soon as they file a claim. So, if they're lying,  
22 then if you can produce evidence that you've got some  
23 substantial database that shows that they're lying, that may be  
24 one basis to get to this.

25 But, saying 14 out of 312,000 people who filed



1 ballots in a case either made a mistake or somehow or another  
2 didn't report or filed a claim in the wrong place, frankly  
3 that's so de minimis I can't consider that to be a substantial  
4 portion --

5 MR. CASSADA: Your Honor, just so the Court  
6 understands, we're not saying 14 out of all of them. We're  
7 saying that we did a random sample and that out of over 100  
8 claims that we drew, over 90 percent of them denied that they  
9 had exposure to Pittsburgh Corning while in the tort system --  
10 excuse me, the other way around. They certified under penalty  
11 of perjury that they had exposure to Pittsburgh Corning  
12 sufficient to raise a Pittsburgh Corning claim and in tort  
13 system discovery with Garlock they denied they had any evidence  
14 of Pittsburgh Corning. This is not a random, arbitrary thing.  
15 It is a widespread practice. And that's what the discovery  
16 will show. So, thank you very much, Your Honor.

17 THE COURT: Mr. Lockwood, truly, two minutes.

18 MR. LOCKWOOD: I have two minutes. First, Mr.  
19 Goldblatt said our response is fundamentally -- that we're  
20 objecting here because the discovery is burdensome and  
21 irrelevant. That's not true. We're objecting -- we've  
22 conceded we're not going to argue relevance here. The burden  
23 is a separate issue as I've identified and what we were arguing  
24 as Mr. Cassada just pointed it out is confidentiality which Mr.  
25 Goldblatt didn't mention.